

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STANISLAV LEVIN,

Plaintiff,

-v-

CREDIT SUISSE INC., *et al.*,

Defendants.

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DATE FILED: 12/9/2011

No. 11 Civ. 5252 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of a joint letter from the parties, dated December 2, 2011, setting forth Plaintiff's discovery demands and Defendants' objections, and advising the Court of Defendant MetLife's intent to file a motion to dismiss all of Plaintiff's claims other than his ERISA § 502(a)(1)(B) claim. Defendants Credit Suisse and Aon Hewitt advise the Court that they currently intend to answer the Amended Complaint, but reserve the right to move to dismiss.

IT IS HEREBY ORDERED THAT the parties shall appear for a pre-motion conference regarding Defendant MetLife's anticipated motion to dismiss on Tuesday, January 3, 2012 at 11:00 a.m. Any Defendant who wishes to file a motion to dismiss shall submit a pre-motion letter consistent with section 2.A of the Court's Individual Practices no later than December 16, 2011. Specifically, Defendant MetLife is directed to elaborate on its assertion that certain of Plaintiff's claims, all of which purport to arise under ERISA, are preempted by ERISA. Plaintiff shall submit a responsive pre-motion letter within three business days from service of a pre-motion letter. The Court will also address the discovery disputes addressed in the parties' joint letter at the January 3, 2012 conference.

SO ORDERED.

Dated: December 8, 2011
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE